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7 Dave Denny

8
9 UNITED STATES DISTRICT COURT

10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 WESTERN DIVISION

12
13 KAMBIZ BATMANGHELICH, et al.,

14 Plaintiffs,

15 v.

16 SIRIUS XM RADIO INC. and
17 STREAM INTERNATIONAL, INC.

18 Defendants.

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20 CASE NO. CV 09-9190 VBF(JCx)

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**DECLARATION OF
JOHN W. DAVIS RE CLAIM
SUBMISSION OF CLASS MEMBER
DAVE DENNY**

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25 Date: September 12, 2011
26 Time: 1:30 p.m.
27 Judge: Hon. Valerie Baker Fairbank
Courtroom: Dept. 9
312 N. Spring St.
Los Angeles, CA 90012

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1 I, John W. Davis, affirm the following:

- 2 1. I am not a party to the above action.
- 3 2. I am a duly licensed attorney qualified to practice law before all courts of the
- 4 State of California, all courts of the State of Florida, the Supreme Court of
- 5 the United States, the United States Second Circuit Court of Appeals, the
- 6 United States Eighth Circuit Court of Appeals, the United States Ninth
- 7 Circuit Court of Appeals, the United States Eleventh Circuit Court of
- 8 Appeals, the United States Central District Court of California, the United
- 9 States Southern District Court of California, the United States Northern
- 10 District Court of California, and the United States Tax Court.
- 11 3. I represent objecting class member Dave Denny (“Objector”) in the above-
- 12 entitled case.
- 13 4. I am over the age of eighteen (18) years. I am fully competent to and do
- 14 testify from my own personal knowledge under penalty of perjury. As to
- 15 those matters to which I testify on the basis of my information and belief, I,
- 16 in good faith, believe them to be true and correct and on that basis testify that
- 17 they are true and correct under penalty of perjury.
- 18 5. Attached hereto as Exhibit 1 is the receipt generated in response to the
- 19 submission of Objector’s claim form concerning the above-captioned
- 20 litigation. Objector timely submitted his claim form at 3:31 p.m. PDT on
- 21 September 8, 2011.
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This declaration has been signed under penalty of perjury under the laws of the State of California and the United States of America. It was executed on September 11, 2011 in the County of San Diego, California.

/s/ John W. Davis
John W. Davis